

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JOHN DOE

V.

JOHNSON & WALES UNIVERSITY

:
:
:
:
:

Case No. 18-106-JJM-LDA

DEFENDANT'S MOTION TO COMPEL
PLAINTIFF'S RESPONSE TO DEFENDANT'S INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS

Under Federal Rule of Civil Procedure 37(a), Defendant Johnson & Wales University ("JWU") moves to compel Plaintiff's responses to JWU's Rule 33 set of interrogatories and Rule 34 request for production of documents, which were served upon Plaintiff on June 4 and 5, 2018 respectively.

JWU allowed Plaintiff additional time beyond the thirty (30) day response period under Rules 33 and 34. JWU refrained from filing this motion to compel based upon Plaintiff's representations on several occasions that his past due discovery responses would be produced soon, but no responses have been received.

JWU requests the entry of an Order compelling Plaintiff's discovery responses within seven (7) days. An expedited seven (7) day compliance period is necessary because Plaintiff has already had over three months to produce his discovery responses and factual discovery will close on December 12, 2018. JWU requires Plaintiff's discovery responses to prepare for and take his deposition.

As required under Federal Rule of Civil Procedure 37(a)(1), JWU certifies that it made several good faith efforts to obtain Plaintiff's discovery compliance before filing this motion to compel.

Defendant,
Johnson & Wales University,
By Its Attorneys,

/s/ Steven M. Richard

/s/ Jeffrey S. Brenner

Steven M. Richard (4403)

Jeffrey S. Brenner (4359)

NIXON PEABODY LLP

One Citizens Plaza, 5th Floor

Providence, RI 02903

Tel: (401) 454-1020

Fax: (401) 454-1030

Email: srichard@nixonpeabody.com

jbrenner@nixonpeabody.com

Dated: September 10, 2018

CERTIFICATE OF SERVICE

I hereby certify that, on September 10, 2018, I served this motion to compel upon Plaintiff's counsel electronically through the Court's CM/ECF system

/s/ Steven M. Richard